

Message Text

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ACTION EA-14

INFO OCT-01 ARA-16 EUR-25 NEA-10 ISO-00 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-10 PA-04 RSC-01

PRS-01 SPC-03 SS-20 USIA-15 AID-20 OMB-01 DPW-01

DRC-01 IO-14 /180 W

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R 190814Z DEC 73

FM AMMBASSY SAIGON

TO SECSTATE WASHDC 0127

AMEMBASSY BANGKOK

AMEMBASSY BONN

AMEMBASSY BRASILIA

AMEMBASSY BRUSSELS

AMEMBASSY BUENOS AIRES

AMEMBASSY ANKA RA

AMEMBASSY CANBERRA

AMCONSUL HONG KONG

AMEMBASSY NEW DELHI

AMEMBASSY STOCKHOLM

AMEMBASSY OSLO

AMEMBASSY PHNOM PENH

AMEMBASSY ROME

AMEMBASSY SINGAPORE

AMEMBASSY TOKYO

AMEMBASSY VIENTIANE

AMEMBASSY WELLINGTON

USUN NEW YORK 0585

UNCLAS SAIGON 21205

E.O. 11652: N/A

TAGS: MARR VS

SUBJECT: GVN NOTE TO PARIS PARTICIPANTS PROTESTING ATTACK ON FPJMT
HELICOPTERS

1. SUMMARY AND ACTION REQUEST. THERE FOLLOWS TEXT OF A GVN

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MINISTRY OF FOREIGN AFFAIRS (FMA) NOTE DATED DEC. 17 TO THE
PARTIES TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIETNAM

PROTESTING THE COMMUNIST ATTACK ON THE FPJMT HELICOPTERS.
ADDRESSEES ARE REQUESTED TO PASS THIS TEXT ON TO THE GVN MISSIONS
IN THEIR HOST COUNTRIES WITH THE INFORMATION THAT IT WAS
RELEASED TO THE PRESS AT 1000 AM DEC. 19, SAIGON TIME. END
SUMMARY AND ACTION REQUEST.

2. BEGIN TEXT: NO. 000933/BNG. THE MINISTER OF FOREIGN AFFAIRS
OF THE REPUBLIC OF VIET-NAM PRESENTS HIS COMPLIMENTS TO THE PARTIES
TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM, SIGNED AT
PARIS ON MARCH 2ND, 1973 AND HAS THE HONOUR TO DRAW THE
PARTICULAR ATTENTION OF THE PARTIES TO THE FOLLOWING.

3. ON SATURDAY, DECEMBER 15TH, 1973, AT 0815 HOURS, THREE
HELICOPTERS OF THE FOUR-PARTY JOINT MILITARY TEAM WERE ATTACKED BY
THE COMMUNIST FORCES AT EIGHT KILOMETERS NORTH-EST OF BINH-DIEN,
BINH-CHANH DISTRICT, PROVINCE OF GIA-DINH. ONE HELICOPTER WAS
SHOT DOWN AND SUBSEQUENTLY DESTROYED BY AK RIFLE BULLETS AND B-40
SHELLS, TWO MEMBERS OF THE TEAM, ONE VIETNAMESE AND ONE AMERICAN,
WERE KILLED; SEVEN WERE WOUNDED, INCLUDING THREE VIETNAMESE AND
FOUR AMERICANS.

4. THE THREE HELICOPTERS WHICH BORE VERY DISTINCTIVE COLOURS OF
THE FOUR PARTY JOINT MILITARY TEAM, WERE FLYING ON AN OFFICIAL
MISSION, IN CONNECTION WITH THE TASK OF THE FOUR-PARTY JOINT
MILITARY TEAM OF GETTING INFORMATION ABOUT MILITARY PERSONNEL
MISSING IN ACTION, AS STIPULATED BY ARTICLE 8(B) OF THE
JANUARY 27TH, 1973 PARIS AGREEMENT.

5. THE COMMUNIST SIDE WAS PREVIOUSLY INFORMED OF THE MISSION AND
INVITED TO PARTICIPATE, BY A NOTE DATED DECEMBER 6TH, 1973.
THEREFORE, IT CANNOT POSSIBLY ARGUE THAT IT WAS NOT AWARE OF THE
MISSION OF THE DECEMBER 15TH FLIGHT.

6. THE ABOVE-MENTIONED FACT SHOWS THAT THE ATTACK WAS DIRECTED
AGAINST HELICOPTERS WHICH WERE KNOWN AS BELONGING TO THE FOUR-
PARTY JOINT MILITARY TEAM. THEREFORE, NOT ONLY DID THE COMMUNISTS
TRANSGRESS THE LAWS AND CUSTOMS OF WAR, IT WAS ALSO EVIDENT THAT
THEY WILLFULLY DID SO.

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7. THE ATTACK WAS OPENLY AN ACT OF WAR, CARRIED OUT AGAINST A
JOINT MILITARY TEAM, IN DIRECT VIOLATION OF ARTICLE 8(B) OF THE
PARIS AGREEMENT; ARTICLES 1 AND 2 OF THE PROTOCOL ON THE CEASEFIRE
AND THE JOINT MILITARY COMMISSIONS; ARTICLE 3, 8(D) AND 8(E) OF THE
JUNE 13TH, 1973 JOINT COMMUNIQUE.

8. THE ATTACK IS CLEARLY A CONFIRMATION OF THE COMMUNIST SIDE'S
DETERMINATION TO HINDER BY ALL MEANS AVAILABLE THE INTERNATIONAL
MACHINERY ESTABLISHED BY THE PARIS AGREEMENT AND ITS RELATED
PROTOCOLS.

9. FINALLY, ONE CANNOT POSSIBLY OVEREMPHASIZE THE BARBAROUS NATURE OF SUCH AN ATTACK, WHICH HAS RESULTED IN MANY CASUALTIES AMONG OFFICIALS INVOLVED IN WHAT IS A BASICALLY HUMANITARIAN MISSION. THIS LATEST ACT OF HOSTILITY, COMMITTED WITH A PREMEDITATED INTENT TO HARM UNDEFENDED MEMBERS OF AN INTERNATIONAL TEM, IN THE MIDST OF A MUTUALLY AGREED UPON CEASEFIRE, INDICATES THE COMMUNISTS' CYNICAL CONTEMPT FOR PUBLIC OPINION AND CONSTITUTES AN INTOLERABLE AFFRONT TO DECENCY AND THE CONSCIENCE OF MAN.

10. ON DECEMBER 15TH, 1973, THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM OFFICIALLY LODGED A PROTEST WITH THE INTERNATIONAL COMMISSION FOR CONTROL AND SUPERVISION AND ASKED FOR AN IMMEDIATE INVESTIGATION;IT ALSO PUBLISHED A DECLARATION EXPOSING THE POLICY OF VIOLENCE OF THE COMMUNIST SIDE.

11. BY THE PRESENT NOTE, THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM WISHES TO APPRISE THE PARTIES OF THESE DEVELOPMENTS, WHICH EVIDENCE THE RESORT TO OVERT MILITARY ACTION, ON AN INCREASING SCALE, BY THE DEMOCRATIC REPUBLIC OF VIET-NAM SIDE AND THE SYSTEMATIC EFFORTS OF THE COMMUNISTS TO DESTROY THE PEACE STRUCTURE ESTABLISHED BY THE PARIS AGREEMENT, WHICH THEY THEMSELVES HAVE FORMALLY SUBSCRIBED TO.

12. THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM FIRMLY DENOUNCES THE INCESSANT MILITARY ATTACKS ON THE COMMUNIST SIDE, AND EARNESTLY REQUESTS THAT THE PARTIES SHOULD TAKE EFFECTIVE ACTION, EITHER JOINTLY OR SEPARATELY, TO PUT AN END TO THE AGGRESSIVE POLICIES OF THE DEMOCRATIC REPUBLIC OF VIET-NAM SIDE WHICH AS THE GOVERNMENT OF THE REPUBLIC OF VIET-NAM HAS SAID MANY TIMES BEFORE, REMAIN THE TRUE OBSTACLE TO THE RESTORING OF GENUINE
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PEACE IN VIET-NAM.

13. IT IS OF COURSE OBVIOUS THAT THE DEMOCRATIC REPUBLIC OF VIET-NAM SIDE MUST ENTIRELY BE HELD RESPONSIBLE FOR THE EXISTING SITUATION IN VIET-NAM, AND THAT IT WILL HAVE TO BEAR THE CONSEQUENCES OF ITS DELIBERATE ATTEMPT TO REVERT TO A POLICY OF MILITARY ACTION.

14. THE MINISTER OF FOREIGN AFFAIRS OF THE REPUBLIC OF VIET-NAM AVAILS HIMSELF OF THIS OPPORTUNITY TO RENEW TO THE PARTIES TO THE ACT OF THE INTERNATIONAL CONFERENCE ON VIET-NAM, THE ASSURANCES OF HIS HIGH CONSIDERATION. DECEMBER 17TH, 1973.
END TEXT.
BENNETT

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